| 1 2 3 | CALIFORNIA DEPARTMENT OF INSURANCE LEGAL DIVISION – ENFORCEMENT BUREAU Mary Ann Shulman, Esq., SBN 190164 45 Fremont Street, 21 st Floor San Francisco, California 94105 Telephone: 415/538-4133 | |
|-------|--|--------------------------|
| 4 | Facsimile: 415/904-5490 | |
| 5 | Attorneys for the California Department of Insurance | |
| 6 | · | • |
| 7 | DESCRIPTION AND AND COMMISSIONED | |
| 8 | BEFORE THE INSURANCE COMMISSIONER | |
| 9 | OF THE STATE OF CALIFORNIA | |
| 10 | SAN FRANCISCO | |
| 11 | | TU N. DIGD 0010 00040 |
| 12 | In the Matter of the License and Licensing Rights of: | File No. DISP-2010-00048 |
| 13 | | |
| 14 | ADVANTAGE TITLE, INC., | ORDER |
| 15 | Respondent. | |
| 16 | | |
| 17 | | |
| 18 | WHEREAS, on or about February 4, 2010, the Insurance Commissioner | |
| 19 | ("Commissioner") caused to be served upon ADVANTAGE TITLE, INC. ("ADVANTAGE | |
| 20 | TITLE") an Accusation, Notice of Noncompliance, and Demand for Monetary Penalty, | |
| 21 | denominated "In the Matter of the License and Licensing Rights of ADVANTAGE TITLE, INC., | |
| 22 | Respondent," File No. DISP-2010-00048 ("Accusation"). Said Accusation is incorporated herein | |
| 23 | by reference, and alleged that ADVANTAGE TITLE engaged in unlawful rebate activities in | |
| 24 | violation of California Insurance Code §§12404, 12405, and 12408.5 and the requirements and | |
| 25 | standards of §12389.2; and, | |
| 26 | WHEREAS, ADVANTAGE TITLE has executed a Stipulation and Waiver in which it | |
| 27 | waived its rights to a hearing in this matter, and any other rights which may be accorded pursuant | |
| 28 | to the provisions of the California Administrative Procedure Act (Government Code §§11500- | |
| | | |

-1-

| 1 | 11528) and the California Insurance Code, and has stipulated to the entry of this Order. Said | |
|----|--|--|
| 2 | Stipulation and Waiver is incorporated herein by reference; and, | |
| 3 | GOOD CAUSE APPEARING, | |
| 4 | IT IS HEREBY ORDERED that ADVANTAGE TITLE shall Cease and Desist from | |
| 5 | engaging in activities in violation of, or noncompliant with, Article 6, Division 2, Part 6, Chapter | |
| 6 | 1 (commencing with §12404) of the California Insurance Code; and, | |
| 7 | IT IS FURTHER ORDERED that ADVANTAGE TITLE shall comply with the | |
| 8 | provisions of California Insurance Code §§12404, 12405, and 12408.5 prohibiting illegal | |
| 9 | rebate/inducement activities; and, | |
| 10 | IT IS FURTHER ORDERED that ADVANTAGE TITLE shall pay to the California | |
| 11 | Department of Insurance, within ten (10) days after receiving an invoice from the Department's | |
| 12 | Division of Accounting, the amount of five thousand dollars (\$5,000.00), as a monetary penalty | |
| 13 | pursuant to California Insurance Code §§12409 and 12976; and, | |
| 14 | IT IS FURTHER ORDERED that this Order shall become effective immediately upon the | |
| 15 | date set forth below. | |
| 16 | IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this | |
| 17 | 17th_ day of _MARCH_, 2010. | |
| 18 | STEVE POIZNER Insurance Commissioner | |
| 19 | | |
| 20 | Toll Solution | |
| 21 | By: JOSE AGUILAR | |
| 22 | Assistant Chief Counsel | |
| 23 | | |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |

28